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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/243,997 02/04/99 SILVERMAN

R 0570.00077

EXAMINER

HM22/0202

KENNETH I KOHN
SUITE 410
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SHIPPEN, M

ART UNIT

PAPER NUMBER

1621

4

DATE MAILED:

02/02/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/243,997	02/04/99	RICHARD B. SILVERMAN, ET AL.	0570.00077

EXAMINER	
SHIPPEN	
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DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents.

The disclosure is objected to under 37 CFR 1.71, as being so incomprehensible as to preclude a reasonable search of the prior art by the examiner. The manner in which applicants have filed the application makes it impossible to determine which claims are before the examiner. The specification was filed with original claims 1-37. However, applicant filed these claims with a big red line crossing all the claims which may indicate that applicants consider claims 1-37 to be canceled. If these claims are to be canceled then this should be done in accordance with 37 C.F.R. § 1.121. As presented, it appears that applicants do not wish for claims 1-37 to be examined. Filed concurrent with the application is a paper labeled PRELIMINARY AMENDMENT. An exact duplicate of this paper was faxed on June 16, 1999. **These papers have not been entered.** First, they refer to a Divisional of U.S.S.N. 08/420,905 which is not the instant application. Second, the first copy of the amendment likewise does not comply with 37 C.F.R. § 1.121 in that it presents claims with a big red line crossed through the claims. Third, the second paper presents claims that have been apparently cancelled in the first paper. Merely attached to these amendments after the signature page (which page also has been crossed out with a big red mark in the first copy) is a set of claims number 2-8. These claims have not been entered since there is actually no request that they be entered and it fails to comply with 37 C.F.R. § 1.126.

Applicants are required to submit an amendment which clarifies the disclosure so that the examiner may make a proper comparison of the invention with the prior art. If original claims 1-37 are to be canceled, then it must be done in compliance with 37 C.F.R. § 1.121. Any new claims applicants want considered must be presented again and in compliance with 37 C.F.R. §§ 1.121 and 1.126.

A shortened statutory period for reply to this action is set to expire thirty days or ONE MONTH, whichever is longer, from the mailing date of this letter.


MICHAEL L. SHIPPEN
PRIMARY EXAMINER
GROUP 1200